

APCO INTERNATIONAL
HEADQUARTERS
2040 S. RIDGEWOOD AVE.
SOUTH DAYTONA, FL 32119-8437
(888) APCO-9-1-1 OR (904) 322-2500
FAX: (904) 322-2501

**ASSOCIATION OF
PUBLIC SAFETY
COMMUNICATIONS
OFFICIALS
INTERNATIONAL, INC.**

APCO INTERNATIONAL
GOVERNMENT AFFAIRS OFFICE
1666 K STREET, NW, SUITE 1100
WASHINGTON, D.C. 20006-2866
(202) 887-5415

President
Joe McNeil
Harwich Fire Department
119 Depot Road West
West Harwich, MA 02671-1074
(508) 432-6615
Fax (508) 432-2222
president@apcointl.org

President Elect
Jack Keating
City of West Covina
P.O. Box 1440
West Covina, CA 91793-1440
(626) 814-8580
Fax: (626) 813-8674
pres-elect@apcointl.org

First Vice President
Joe Hanna
Richardson Police Department
P.O. Box 831078
Richardson, TX 75083-1078
(972) 238-3818
Fax: (972) 994-0727
first-vp@apcointl.org

Second Vice President
Lyle Gallagher
North Dakota State Radio
Communications
P.O. Box 5511
Bismarck, ND 58502-5511
(701) 328-9630
Fax: (701) 328-9633
second-vp@apcointl.org

Executive Director
Christopher Bevevino, CAE
(888) APCO-9-1-1
bevevinoc@apcointl.org

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organization dedicated to the
enhancement of public safety
communications.*

*With more than 13,000
members world wide, APCO
International exists to serve
the people who manage,
operate, maintain, and supply
the communications systems
used to safeguard the lives and
property of citizens
everywhere.*

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June 9, 1998

The Honorable William Kennard
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RE: PR Docket 92-235

Dear Mr. Chairman:

APCO would like to take this opportunity to comment briefly upon a pending, recently publicized request from the American Automobile Association ("AAA") regarding coordination of auto emergency radio frequencies, which are part of the Industrial/Business Pool. It is important to emphasize that AAA is not seeking to move the auto emergency frequencies into the Public Safety Pool. Rather, AAA is asking that it alone be permitted to coordinate the auto emergency frequencies within the Industrial/Business Pool. To that extent, APCO has no objection to the AAA proposal.

APCO would strongly object, however, to any expansion of the Public Safety Pool to include auto emergency or other non-governmental users. Any such dilution of the Public Safety Pool could lead to interference problems between public safety agency communications and the communications of other less critical entities operating on the same frequencies. For example, if auto emergency users were on Public Safety frequencies, communications to and among police officers in the field could be disrupted by communications between a gas station and its tow trucks. Expanding eligibility in the Public Safety Pool could also lead to less critical non-governmental entities quickly consuming channels, to the exclusion of public safety operations.

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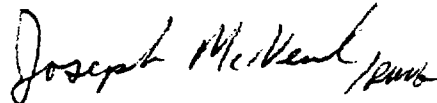
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Some of the recent confusion regarding Public Safety frequencies results from a provision in Section 3002 of the Balanced Budget Act of 1997, which excludes certain "public safety" entities from spectrum auctions. For that very limited purpose, and specific to that provision alone, public safety is defined broadly to include auto emergency and other safety-related operations not normally considered "public safety" by the FCC. However, the 1997 Act also includes a far narrower definition of "public safety services" for purposes of eligibility for new public safety spectrum allocated pursuant to the Act. For that purpose, a public safety service is defined as a service (1) the sole or principal purpose of which is to protect the safety of life, health, or property; and (2) which is provided by a state or local government (or, under limited circumstances, a non-government entity authorized by a government entity to provide public safety services). Thus, the scope of the auction exemption is much broader than the scope of eligibility for operating on public safety spectrum.

Therefore, as discussed above, in APCO's prior submissions in this and other proceedings (e.g., WT Docket 96-86), and in the reports of the Public Safety Wireless Advisory Committee, the Commission must not expand or dilute the use of public safety spectrum. If you have any questions, please contact me or our counsel in Washington, Robert Gurss, at 202-457-7329. Two copies of this letter will be filed with the Secretary.

Respectfully submitted,



Joseph McNeil
Captain, Harwich (MA) Fire Department
President, APCO International

cc: The Honorable Susan Ness ✓
The Honorable Gloria Tristani
The Honorable Michael Powell
The Honorable Harold Furchtgott-Roth
Daniel Phythyon, Esq.
John Clark, Esq.
Michele Farquhar, Esq.